

REMARKS

By the present Amendment, Applicants have cancelled claim 21, without prejudice or disclaimer of the subject matter therein, amended claims 1, 2, 5-7, and 20 to clarify the claimed invention and added new claims 23-27 to protect additional aspects of the invention. As a result of this Amendment, claims 1-20 and 22-27 are currently pending.

As an initial matter, Applicants appreciate the Examiner's indication that claims 7, 8, 12, 14, 17, 19, and 21 contain allowable subject matter. See Office Action at ¶ 15. In view of this indication of allowable subject matter, Applicants have canceled claim 21 and incorporated the recitations of this claim into independent claim 20. Accordingly, independent claim 20 is now allowable for at least the same reasons as canceled claim 21.

On page 2 of the Office Action, the Examiner stated that Applicants have not provide a correspondence address in the application papers, as required by 37 C.F.R. § 1.33(a). Applicants, however, have already provided the correspondence address in several of the application papers. For instance, the Declaration and Power of Attorney filed on March 30, 2000, identified the correspondence address as "1300 I Street, N.W., Washington, D.C., 20005-3315." Accordingly, Applicants have fully complied with the requirements of 37 C.F.R. § 1.33(a).

With respect to the drawings, the Examiner objected to FIGs. 2, 4, 14, and 15 based on a number of informalities. Applicants have amended FIGS. 2, 4, 14, and 15 to obviate the Examiner's objections, as shown in the annotated drawings provided in the attached Appendix A and in the replacement drawings provided in the attached

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Appendix B. As shown in red-ink in the annotated drawings of Appendix A, (1) Fig. 2 is amended by replacing reference number "31" with new reference number --31a--, (2) Fig. 4 is amended by replacing reference number "78c" with new reference number --76c--, and (3) Figs. 14 and 15 are amended by replacing reference number "233" with new reference number --223--. Applicants respectfully request that the Examiner approve of each of these changes.

On page 3 of the Office Action, the Examiner objected to the specification based on a number of informalities. By this Amendment, Applicants have amended the specification to obviate each of the Examiner's objections and improve the understanding of the claimed invention without adding any new matter to the originally filed disclosure.

As discussed on pages 4-5 of the Office Action, the Examiner rejected claims 1, 2, and 4 under 35 U.S.C. § 102(e) as being anticipated by Suso et al (U.S. Patent No. 6,069,648). According to the rationale discussed on page 5 of the Office Action, the Examiner rejected claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Suso et al. Moreover, the Examiner rejected claims 5, 6, 10, and 11 under 35 U.S.C. § 103(a) as being unpatentable over Isashi (U.S. Patent No. 5,719,799) in view of Suso et al., and further in view of Parulski I (U.S. Patent No. 5,475,411) for the reasons stated on pages 6-9 of the Office Action. The Examiner also rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Isashi in view of Suso et al. and Parulski I and still further in view of Parulski II (U.S. Patent No. 6,366,316), and Examiner rejected claim 13 under 35 U.S.C. § 103(a) as being unpatentable over Isashi in view of Suso et al. and Parulski I, and still further in view of Anderson (U.S. Patent No. 5,973,734), as

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discussed on pages 9-10 of the Office Action. The Examiner further rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Isashi in view of Suso et al. and Parulski I, and still further in view of Shin et al. (U.S. Patent No. 6,160,321), as stated on pages 10-11 of the Office Action. Finally, as set forth on pages 11-12 of the Office Action, the Examiner rejected claims 16, 18, 20, and 22 under 35 U.S.C. § 103(a) as being unpatentable over Isashi in view of Suso et al. and Parulski I, and still further in view of Cocca (U.S. Patent No. 5,387,955).

The applied references, however, fail to render the claimed invention unpatentable. Each of the claims recite different combinations of features that distinguish the invention from the prior art relied upon. For example, independent claim 1 recites a combination that includes, among other things,

an apparatus main body having a rear end portion provided with a pair of hinge portions, a camera attachment portion provided between the hinge portions, and a main body-side connector provided at the camera attachment portion,

(present claim 1, ll. 2-5). See *also* present claim 5, ll. 3-6. Independent claim 23 recites another combination that includes, for example,

a display unit rotatably supported by the hinge portions, and a camera detachably provided at a central portion of a rear end of the apparatus main body and positioned between the pair of hinge portions, the camera having a camera-side shutter button arranged at a position at which the camera-side shutter button is concealed in the apparatus main body when the camera is attached to the apparatus main body; and an extension adapter for connecting the camera detached from the apparatus main body to the apparatus main body, and arranging the camera to be remote from the apparatus main body,

(present claim 23, ll. 4-11). Independent claim 24 recites yet another combination that includes, *inter alia*,

a camera configured to pick up an image of an object, the camera being provided at the rear end of the apparatus main body between the

pair of hinge portions and being rotatable about a rotation axis of the display unit,

(present claim 24, ll. 6-8). Similarly, independent claim 25 recites a combination that includes, *inter alia*,

a camera configured to pick up an image of an object, the camera being provided at the rear end of the apparatus main body between the pair of hinge portions and being rotatable about a rotation axis of the display unit,

(present claim 25, ll. 6-8). Finally, new independent claim 26 recites a combination of that includes, for instance,

a display unit supported by the apparatus main body to be rotatable between an opened position and a closed position wherein the display unit overlaps with the apparatus main body;

a camera configured to pick up an image of an object, the camera being provided at the apparatus main body and having a lens that is exposed to an outside of the apparatus main body; and

a camera shutter configured to actuate the camera while the display unit is rotated to the closed position.,

(present claim 26, ll. 2-10). At the very least, the applied references fail to disclose or suggest any of these exemplary features recited in the independent claims 1, 5, 23, 24, 25, and 26.

To establish anticipation of claims 1, 2, and 4 under 35 U.S.C. § 102(e), the Examiner must show that each and every feature recited in these claims is either explicitly disclosed or "necessarily present" in a single prior art reference, such as within the four corners of the Suso et al. patent. See M.P.E.P. §2131 (7th ed. 1998); *In re Robertson*, 169 F.3d 743, 745 (Fed. Cir. 1999); *Continental Can Co. v. Monsanto Co.*, 948 F.2d 1264, 1269 (Fed. Cir. 1991). Moreover, to make out a *prima facie* case of obviousness as to claims 3, 5-20, and 22-27, the Examiner must demonstrate (1) that either Suso et al. or Isashi, as proposed to be repeatedly modified by the teachings of

Suso et al., Isashi, Parulski I, Parulski II, Anderson, Shin et al., and Cocca, disclose or suggest each and every feature recited in the claim, (2) that there is a reasonable probability of success in making such modifications, and (3) the existence of some suggestion or motivation, either in the teachings of the applied references themselves or in the knowledge generally available to one of ordinary skill in the art, to make such modification so as to result in the claimed invention. See M.P.E.P. § 2143 (7th ed. 1998). It bears emphasizing that each of these requirements must be found in the prior art — not based on Applicants' own disclosure. See *id.*

Viewed against this backdrop, each of the Examiner's factual conclusions must be supported by "substantial evidence" in the documentary record. See *In re Lee*, 61 U.S.P.Q.2d 1430, 1432 (Fed. Cir 2002). The Examiner has the burden of documenting all findings of fact necessary to support a conclusion of anticipation or obviousness "less the 'haze of so-called expertise' acquire insulation from accountability." *Id.* To satisfy this burden, the Examiner must specifically identify where support is found within the prior art to meet the requirements of 35 U.S.C. §§ 102(e) and 103.

Suso et al. discloses a cellular phone with a camera being provided at one side of a hinge portion (6, 7). See, e.g., Fig. 2. The phone of Suso et al., however, is provided with only one hinge portion, and the camera is supported at one end. Suso et al., however, fails to provide any disclosure of a camera attachment portion that is provided between a pair of hinge portions, as stated more particularly in independent claims 1, 5 and 23-25. Suso et al. also fails to disclose or suggest a display unit that is rotatable between an open and closed position and a camera shutter configured to actuate a camera when the display unit is rotated to the closed position, as recited in

detail in independent claim 26. Instead, Suso et al. teaches away from the claimed invention by disclosing cellular phone that is provided with only one hinge portion, and a camera is supported at one end. Accordingly, Suso et al. cannot render independent claims 1, 5, and 23-26 unpatentable.

Isashi discloses a portable personal computer with a camera (7a) installed in a hinge portion (6). The Examiner admits that Isashi fails to teach a camera positioned between the pair of hinge portions, as recited more particularly in claims 1, 5 and 23-25. See Office Action at 6. Isashi also fails to disclose or suggest a display unit that is rotatable between an open and closed position and a camera shutter configured to actuate a camera when the display unit is rotated to the closed position, as recited in detail in independent claim 26. In fact, Isashi teaches away from the claimed invention by disclosing the use of a camera provided at one end of the hinge portion (6). As a result, Isashi also fails to render independent claims 1, 5, and 23-26 unpatentable.

Moreover, each of the secondary references, i.e., Parulski I, Parulski II, Anderson, Shin et al., and Cocca, fails to remedy the deficiencies of Suso et al. and Isashi. For example, the Examiner relies upon Parulski I solely to allegedly disclose the existence of "a detachable camera (2) and an extension adapter (70 and 24) . . . for arranging the camera (20) to be remote from the apparatus main body (1)." Office Action at 7. Similarly, the Examiner relies upon Parulski II only to ostensibly teach the existence of a extension adapter that is provided with a tripod. Office Action at 9. Moreover, the Examiner relies upon Anderson solely to allegedly disclose the use of "a detection sensor" for detecting when a camera has been rotated to a predetermined rotation position. Office Action at 10. In addition, the Examiner relies upon Shin et al.

only to purportedly teach an apparatus main body that has a pull-up voltage circuit and a camera with a ground terminal. office Action at 11. Finally, the Examiner relies upon Cocca solely to allegedly disclose the existence of "a remote controller (22)" detachably connected to a camera. Office Action at 11-12. Modifying the Suso et al. and Isashi systems with the teachings of Parulski I, Parulski II, Anderson, Shin et al., and Cocca would thus fail to overcome the shortcomings of Suso et al. and Isashi. Consequently, each of the secondary references fails to remedy the deficiencies of Suso et al. and Isashi.

For at least these reasons, Suso et al., Isashi, Parulski I, Parulski II, Anderson, Shin et al., and Cocca all fail to disclose or render obvious each and every element recited in independent claims 1, 5, and 23-26. Independent claim 20 is allowable for at least the same reasons as canceled claim 21, as discussed above. In addition, claims 2-4, 6-20, 22, and 27, which all depend upon one of the independent claims, respectively, recite additional features that are neither disclosed nor suggested by each of the applied references, taken either alone or in combination. Thus, each of the dependent claims are allowable for at least the same reasons discussed above with respect to the independent claims.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of all the pending claims 1-20 and 22-27. Should it be necessary to resolve any additional concerns and expedite the issuance of a Notice of Allowance, the Examiner is invited to contact Applicant's representative at (202) 408-6052.

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Please grant any extension of time to the extent required to enter this response and charge any fees required to our Deposit Account No. 06-0916.

Respectfully submitted,

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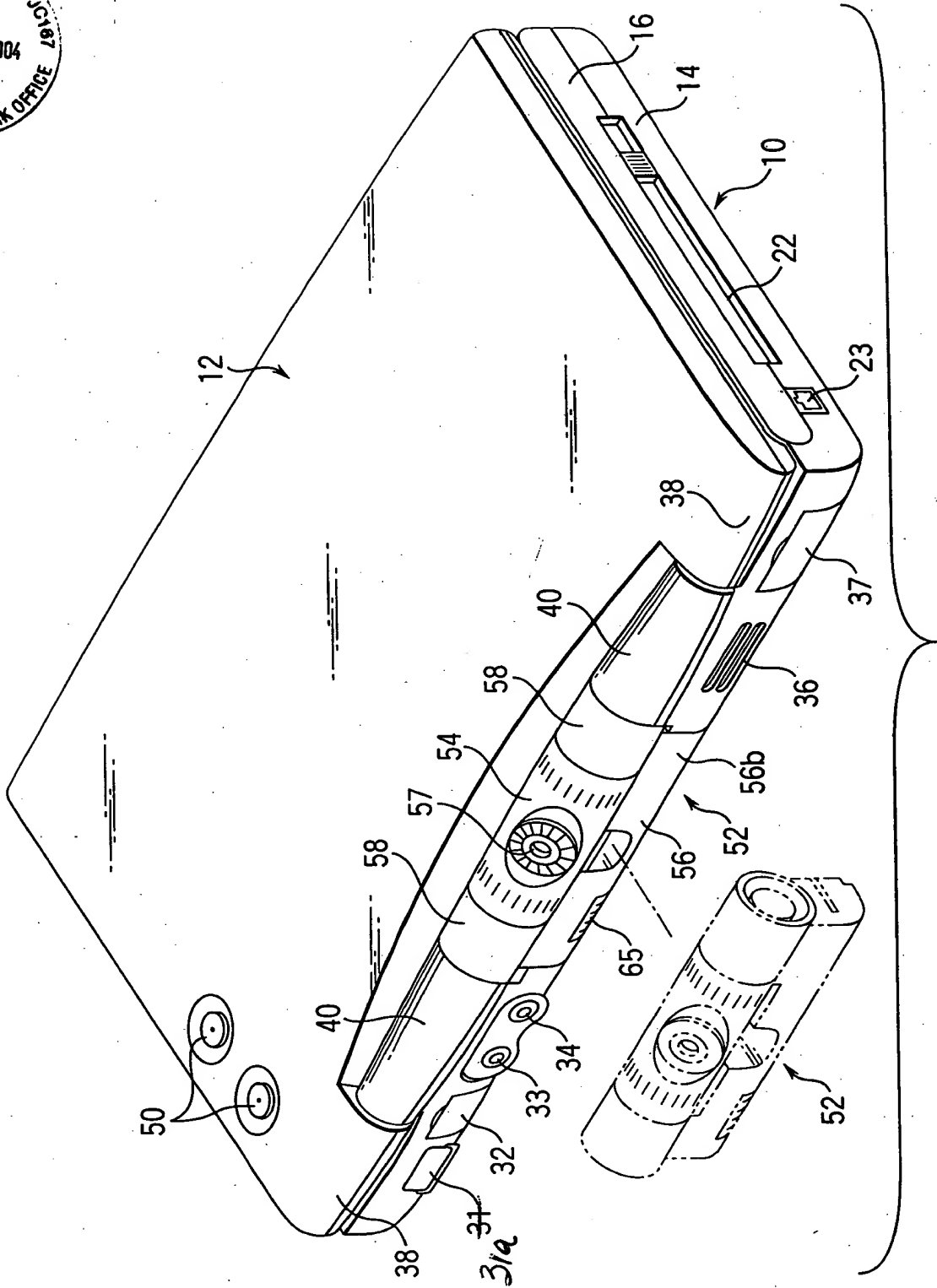


FIG. 2

ANNOTATED

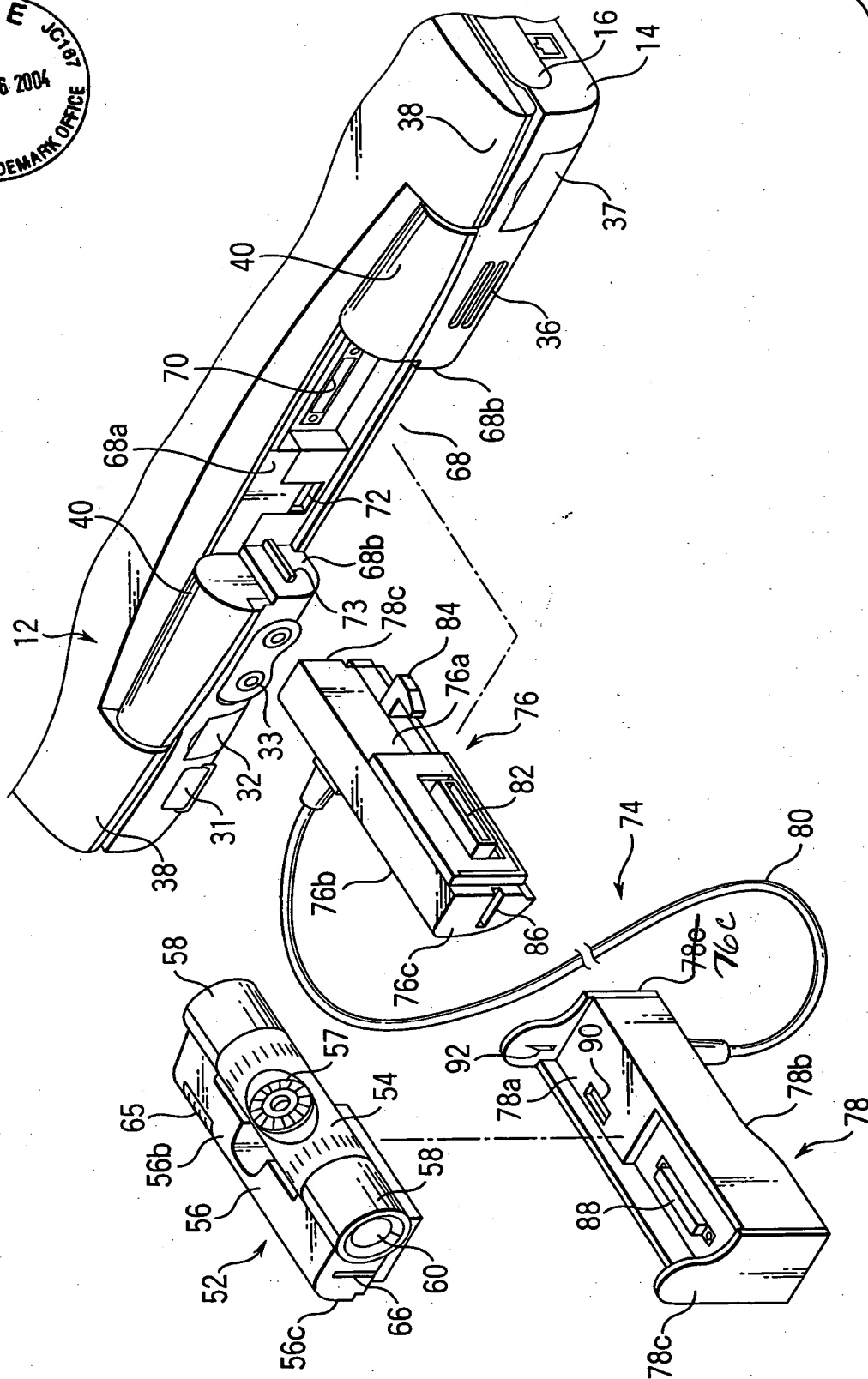


FIG.4

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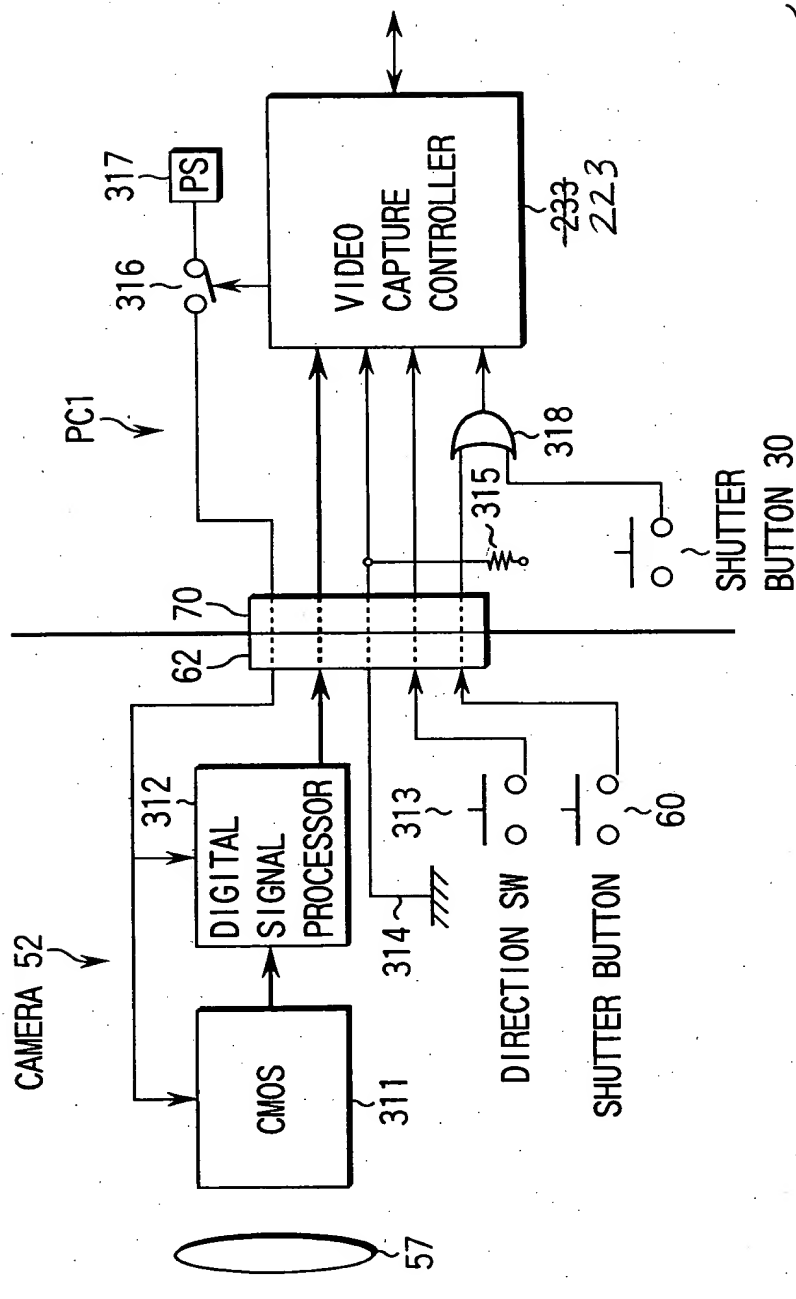


FIG. 14

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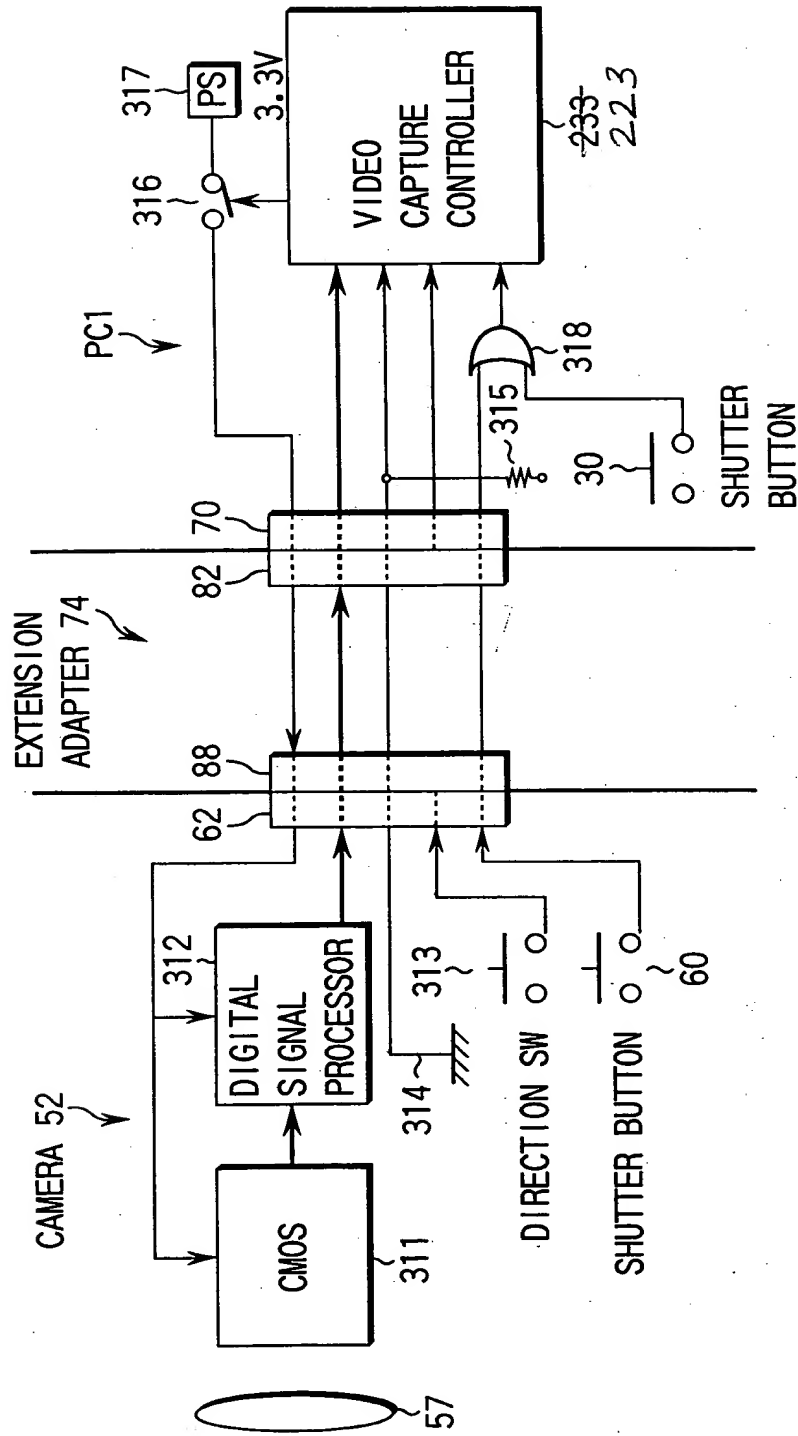


FIG.15

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